

3. Because Defendant conducts business in Ohio, personal jurisdiction is established.
4. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

PARTIES

5. Plaintiff is a natural person who resides in the City of Columbus, Franklin County, Ohio and is allegedly obligated to pay a debt, and Plaintiff is a “consumer” as that term is defined by *15 U.S.C. 1692a(3)*.
6. Pursuant to the definitions outlined in *15 U.S.C. 1692a(1-6)*, Defendant is a debt collector and sought to collect a consumer debt from Plaintiff which was allegedly due and owing from Plaintiff, and Plaintiff is a consumer debtor.
7. Defendant is a Colorado Limited Liability Company and debt collector with an office in Denver, Colorado.
8. Defendant uses instrumentalities of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and is a "debt collector" as that term is defined by *15 U.S.C. § 1692a(6)*.
9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

10. Defendant is seeking to collect a consumer debt obligation that is allegedly due and owing and that was incurred for personal, family, or household purposes.

11. Plaintiff paid her bill down to \$1,000.00 when it was transferred to the Defendant.

Defendant now claims that Plaintiff owes \$11,000.00.

12. Plaintiff sent Defendant a written request for validation and verification of the debt. Defendant has failed to send any written validation or verification substantiating the debt or demonstrating that Plaintiff now owes \$11,000.00. Through information and belief Defendant is attempting to collect unauthorized charges.

COUNT I

DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

13. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692e(2)(A) by the false representation of the character, amount, or legal status of a debt.
- b. Defendant violated §1692e(10) by the use of any false representation or deceptive means to collect or attempt to collect a debt or obtain information concerning a consumer.
- c. Defendant violated §1692f by using any unfair or unconscionable means to collect or attempt to collect a debt.
- d. Defendant violated §1692g(b) by failing, within the thirty-day period described in §1692g(a) and after being notified in writing by the consumer that the debt is disputed or that the consumer requests the name and address of the original creditor, to cease collection of the debt or the disputed portion until the debt collector has obtained verification of the debt or a copy of the judgment, or the name and address of the original

creditor, and a copy of such verification or judgment, or name and address of the original creditor and has mailed such to the consumer.

WHEREFORE, Plaintiff, Regina Henry-Morris, respectfully requests judgment be entered against Defendant, for the following:

14. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,
15. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*
16. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiff, Regina Henry-Morris, requests a jury trial in this case.

RESPECTFULLY SUBMITTED,

KAHN & ASSOCIATES, L.L.C.

/s/ J. Daniel Scharville

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